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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Otterbein et al.
Serial No. : 10/600,182
Filed : June 20, 2003
Title : PHARMACEUTICAL USE OF NITRIC OXIDE, HEME OXYGENASE-1 AND
PRODUCTS OF HEME DEGRADATION

Art Unit : 1618
Examiner : Dameron Levest Jones
Conf. No. : 8996

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants request consideration of the references listed on the attached two (2) PTO-1449 forms. Under 37 C.F.R. § 1.98 (a)(2)(ii), only copies of foreign patent documents and/or non-patent literature are enclosed. Copies of any listed U.S. patents or U.S. patent application publications can be provided upon request.

This statement is being filed after a first Office action on the merits, but before receipt of a final Office action or a Notice of Allowance. A check for \$180 in payment of the late submission fee of §1.17(p) is enclosed.

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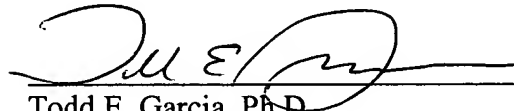
Attorney's Docket No.: 13681-012001 / 00799

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Respectfully submitted,

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8/21/04



Todd E. Garcia, Ph.D.

Reg. No. 54,112

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906

Substitute Form PTO-1449

U.S. Department of Commerce
Patent and Trademark Office

Attorney's Docket No.

13681-012001

Application No.

10/600,182

**Information Disclosure Statement
by Applicant**

(Use several sheets if necessary)

Applicant

Otterbein et al.

Filing Date

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Group Art Unit

1618

U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A1						
	A2						
	A3						

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	B1							
	B2							
	B1							
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	B3							

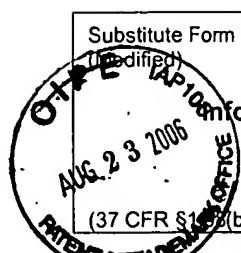
Other Documents (include Author, Title, Date, and Place of Publication)

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	C1	Choi et al., "'Therapeutic' carbon monoxide may be a reality soon," Am. J. Respir. Crit. Care Med., 171(11):1318-1319 (2005)
	C2	Dolinay et al., "Can Inhalation Carbon Monoxide be utilized as a therapeutic modality in human diseases?", pp. 203-236 in <i>Breath Analysis for Clinical Diagnosis and Therapeutic Monitoring</i> , Amann and Smith, eds., World Scientific Publishing Company (2004)
	C3	Dolinay et al., "Inhaled carbon monoxide confers antiinflammatory effects against ventilator-induced lung injury," Am. J. Respir. Crit. Care Med. 170:613-20 (2004)
	C4	Mayr et al., "Effects of carbon monoxide inhalation during experimental endotoxemia in humans," Am. J. Respir. Crit. Care Med., 171:354-360 (2005)
	C5	Ryter et al., "Therapeutic applications of carbon monoxide in lung disease," Curr. Opin. Pharmacol., 6:257-262 (2006)
	C6	Ryter et al., "Heme oxygenase-1/carbon monoxide: from basic science to therapeutic applications," Physiol. Rev. 86(2):583-650 (2006)
	C7	Thom et al., "'Therapeutic' Carbon Monoxide May Be Toxic," Am. J. Respir. Crit. Care Med., 171(11):1318 (2005)
	C8	

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	Substitute Form PTO-1449 (Unmodified)	U.S. Department of Commerce Patent and Trademark Office	Attorney's Docket No. 13681-012001	Application No. 10/600,182
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U.S. Patent Documents

Examiner Initial	Desig. ID	Document Number	Publication Date	Patentee	Class	Subclass	Filing Date If Appropriate
	A1	4,979,939	12/25/90	Shiber			
	A2	5,084,380	01/28/92	Carney			
	A3	5,293,875	03/15/94	Stone			
	A4	5,588,962	12/31/96	Nicholas et al.			
	A5	5,709,874	01/20/98	Hanson et al.			
	A6	5,985,307	11/16/99	Hanson et al.			
	A7	6,069,132	05/30/00	Revanker et al.			
	A8	6,203,991	03/20/01	Nabel et al.			
	A9	6,251,418	06/26/01	Ahern et al.			
	A10	6,406,716	06/25/02	Sahatjian et al.			
	A11	6,436,365	08/20/02	Dinkelborg et al.			
	A12	6,450,989	09/17/02	Dubrul et al.			
	A13	6,508,784	01/21/03	Shu			
	A14	6,508,787	01/21/03	Erbel et al.			
	A15	2003/0009127	01/09/03	Trescony et al.			
	A16	2005/0250688	11/10/05	Pinsky et al.			

Foreign Patent Documents or Published Foreign Patent Applications

Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation	
							Yes	No
	B1	WO 94/22482	10/13/94	WIPO				
	B2	WO 99/47512	09/23/99	WIPO				
	B3	WO 99/49880	10/07/99	WIPO				
	B4	WO 02/092075	11/21/02	WIPO				

Other Documents (include Author, Title, Date, and Place of Publication)

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	C1	Appel et al., "The pig as a source of Cardiac xenografts," J. Card. Surg. 16:345-56 (2001)
	C2	Bach, "Heme oxygenase-1 as a protective gene," Wien. Klin. Wochenschr. 114(Suppl):4:1-3 (2002).

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	C3	Baim and Grossman, "Treatment of Coronary Stenoses and Occlusions with Coronary Angioplasty," Harrison's Principles of Internal Medicine, 13th Ed., Vol.1, 193:986-87 (1994)
	C4	Billiar, "The diverging roles of carbon monoxide and nitric oxide in resuscitated hemorrhagic shock," Crit. Care Med. 27:2842-3 (1999).
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	C6	Brouard et al., "Carbon monoxide generated by Heme Oxygenase-1 (HO-1) suppresses endothelial cell apoptosis via activation of the p38 mitogen activated protein kinase (MAPK) pathway," Acta Haematologica 103(Suppl 1):64, (2000), Abstract.
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	C11	Carbon Monoxide Poisoning - What Happens; http://my.webmd.com/hw/home_health/aa7326.asp ; retrieved July 11, 2005
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	C23	Hartsfield et al., "Regulation of heme oxygenase-1 gene expression in vascular smooth muscle cells by nitric oxide," Am. J. Physiol., 273(5 Pt 1):L980-988, (1997).
	C24	Hartsfield, "Targeted Overexpression of Heme Oxygenase-1 (HO-1) Attenuates Hypoxia-Induced Right Ventricular Hypertrophy," FASEB Journal 13:A827, (1999), Abstract.
	C25	Horvath et al., "Haemoxygenase-1 induction and exhaled markers of oxidative stress in lung diseases", summary of the ERS Research Seminar in Budapest, Hungary, September, 1999," Eur. Respir. J., 18(2):420-430, (2001).
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	C35	Nakao et al., "Protective effect of carbon monoxide inhalation for cold-preserved small intestinal grafts," Surgery, 134:285-92, (2003).
	C36	Ning et al., "TGF-beta1 stimulates HO-1 via the p38 mitogen-activated protein kinase in A549 pulmonary epithelial cells," Am. J. Physiol. Lung Cell. Mol. Physiol., 283(5):L1094-L1102, (2002).
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	C38	Otterbein et al., "Carbon Monoxide Inhibits TNF α -Induced Apoptosis and Cell Growth in Mouse Fibroblasts," American Journal of Respiratory and Critical Care Medicine 159(3 Suppl.):A285 (1999).
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	C45	Otterbein et al., "Protective effects of heme oxygenase-1 in acute lung injury," Chest. 116:61S-63S, (1999).
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	C51	Ryter et al., "Mitogen Activated Protein Kinase (MAPK) Pathway Regulates Heme Oxygenase-1 Gene Expression by Hypoxia in Vascular Cells," Exp. Biol. Med., 228(5):607, (2003), Abstract
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	C65	Song et al., "Carbon monoxide induces cytoprotection in rat orthotopic lung transplantation via anti-inflammatory and anti-apoptotic effects," Am. J. Pathol., 163(1):231-242, (2003).
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	C71	Toda et al., "Exogenous carbon monoxide protects endothelial cells against oxidant stress and improves graft function after lung transplantation," Circulation, 98(17):1265 (1998)
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	C76	Zuckerbraun and Billiar, "Heme oxygenase-1: a cellular Hercules" Hepatology, 37(4):742-744, (2003).
	C77	Zuckerbraun et al., "Carbon monoxide inhibits intestinal inducible nitric oxide synthase production and ameliorates intestinal inflammation in experimental NEC," J. Amer. College of Surgeons 197:S50 (2003)
	C78	Zuckerbraun et al., "Carbon Monoxide Protects Hepatocytes from TNF-alpha/Actinomycin D Induced Cell Death," Critical Care Medicine 29:A59 (2001)

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